

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16-cv-00372-MOC  
(3:11-cr-00286-MOC-1)**

**SHAWN T. KIRKPATRICK,** )  
 )  
 **Petitioner,** )  
 )  
 vs. )  
 )  
 **UNITED STATES OF AMERICA,** )  
 )  
 **Respondent.** )  
 \_\_\_\_\_ )


**ORDER**

**THIS MATTER** is before the Court on its own motion on review of the file in this matter.

On June 16, 2016, Petitioner filed a Section 2255 Motion to Vacate Sentence. [Doc. 1]. On Petitioner’s motion, the Court placed this matter in abeyance pending the decision of the Fourth Circuit Court of Appeals in United States v. Thompson, No. 15-4685. [Docs. 7, 8]. The Court ordered that Petitioner had fourteen (14) days from the date of issuance of the mandate in Thompson within which to respond to the Government’s motion to dismiss. [Doc. 8]. Petitioner is now years past his deadline to respond to the Government’s motion to dismiss.

**IT IS, THEREFORE, ORDERED** that the stay in this matter is hereby **LIFTED** and Petitioner has twenty-one (21) days from this Order to respond to the Government’s motion to dismiss.

Signed: April 2, 2020

  
Max O. Cogburn Jr.  
United States District Judge